

**Department of Personnel Administration  
Memorandum**

**TO: Personnel Management Liaisons (PML)**

<b>SUBJECT:</b> Decertification Election - Bargaining Unit 7	<b>REFERENCE NUMBER:</b> 2005-035
<b>DATE ISSUED:</b> 10/4/05	<b>SUPERSEDES:</b>

This memorandum should be forwarded to:

**Labor Relations Officers  
Personnel Officers  
Human Resource Managers**

**FROM:** Department of Personnel Administration  
Labor Relations Division

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As you are aware, Teamsters Local 228 currently is attempting to decertify the CAUSE Statewide Law Enforcement Association as the exclusive representative of State Bargaining Unit 7 (Protective Services and Public Safety). The decertification election ballots will be counted on November 21, 2005.

**NEUTRALITY**

The law requires that the Unit 7 decertification election be conducted fairly, efficiently, and in full compliance with Public Employment Relations Board (PERB) instructions. All managers, supervisors, and other excluded employees are reminded that, as an employer, the State has no interest in the outcome of this election. The choice of an exclusive representative (or choosing "no representation") is a matter for represented employees of the bargaining unit to decide. Managers, supervisors and excluded employees are cautioned not to make any statements or otherwise express favoritism or bias regarding the outcome of the election.

The term "all managers, supervisors, and other excluded employees" includes employees who are serving in out-of-class assignments, training and development assignments or otherwise serving in an "acting" capacity as a manager, supervisor or excluded employee as well as any employee holding any type of appointment (i.e., permanent, limited term, temporary, probationary, etc.) to a managerial, supervisory, or other excluded classification.

**NOTICES OF ELECTION**

All agencies and departments with employees in Bargaining Unit 7 have been provided with copies of the PERB "Notice of Mailed Ballot Elections". In accordance with PERB instructions, these notices are to be posted conspicuously on all employee bulletin boards in each facility with employees in Unit 7 classifications. (Unit 7 classifications are listed on the reverse of the notice.) The intent of this order is to provide the broadest distribution possible and ensure that all Unit 7 employees are aware of the decertification election.

These notices are to be posted at all sites no later than October 7, 2005 and are to remain posted through November 21, 2005.

An electronic copy of the "Notice of Mailed Ballot Elections" will be posted on the PERB website ([www.perb.ca.gov](http://www.perb.ca.gov)) on October 7, 2005.

### **ACCESS AND ELECTION MATERIALS**

During the election period, both CAUSE and the Teamsters are entitled to meaningful access to employees. This means that both organizations, with prior notice and permission, may visit the worksite and meet with employees during non-work time (e.g., breaks, meal periods, before and after work, etc.) and in non-work areas consistent with each department's access policies.

Both CAUSE and the Teamsters may post materials at the worksites. Where a bulletin board exists for the exclusive use of CAUSE, equivalent posting space must be made available to the Teamsters upon request. Facility management shall identify other existing bulletin boards for this purpose.

Any material mailed to individual employees at the work address is to be stamped and handled as any other first class mail to the employees would be handled. Departments are not to distribute bulk mailings from either organization.

/s/David A. Gilb

David A. Gilb  
Chief